

SENATE RECORD VOTE ANALYSIS

104th Congress
1st Session

Vote No. 539

October 27, 1995, 5:33 p.m.
Page S-16020 Temp. Record

BALANCED BUDGET RECONCILIATION/Medicaid Abortion Funding

SUBJECT: Balanced Budget Reconciliation Act of 1995 . . . S. 1357. Nickles motion to waive the Budget Act for the consideration of subsection 7191(a).

ACTION: MOTION REJECTED, 55-44

SYNOPSIS: As reported, S. 1357, the Balanced Budget Reconciliation Act of 1995, will result in a balanced budget in seven years, as scored by the Congressional Budget Office (CBO). The bill will also provide a \$245 billion middle-class tax cut, \$141.4 billion of which will be to provide a \$500 per child tax credit.

After debate time had expired, Senator Chafee made the point of order that section 7191(a) violated section 313(b)(1)(a) (the Byrd Rule) of the Budget Act because it did not produce a change in outlays or revenues and was not necessary to implement a provision that changed revenues or outlays. Section 7191(a) made permanent the prohibition that has been included in annual appropriations bills since 1977 that bars taxpayer funding of abortions for welfare recipients except in cases of rape or incest or to save the life of the mother (this language is commonly referred to as the Hyde amendment language, named after its sponsor, Representative Hyde). No debate occurred on the motion, though one statement in its support was inserted into the record. Senator Nickles then moved to waive section 313(b)(1)(a) of the Budget Act for the consideration of this provision, if included in the conference report on this measure. Generally, those favoring the provision favored the motion to waive; those opposing the provision opposed the motion to waive.

NOTE: A three-fifths majority (60) vote of the Senate is required to waive section 313(b)(1)(a). Following the failure of the motion to waive, the Chair ruled that the language as included in the bill violated the Byrd rule, so the point of order was sustained and the language was stricken. Subsequent to the vote, the Senate voted to instruct conferees to support the inclusion of Hyde amendment language in the conference report (see vote No. 542; for more extensive debate on Federal funding of abortion, see vote Nos. 369-371 and 103d Congress, 1st session, vote No. 290).

No arguments were expressed in favor of the motion to waive.

(See other side)

YEAS (55)			NAYS (44)			NOT VOTING (0)	
Republicans (46 or 87%)		Democrats (9 or 20%)	Republicans (7 or 13%)		Democrats (37 or 80%)	Republicans (0)	Democrats (0)
Abraham	Helms	Biden	Campbell	Akaka	Kerrey		
Ashcroft	Hutchison	Breaux	Chafee	Baucus	Kerry		
Bennett	Inhofe	Conrad	Cohen	Bingaman	Kohl		
Bond	Kassebaum	Dorgan	Jeffords	Boxer	Lautenberg		
Brown	Kempthorne	Exon	Snowe	Bradley	Leahy		
Burns	Kyl	Ford	Specter	Bryan	Levin		
Coats	Lott	Heflin	Stevens	Bumpers	Lieberman		
Cochran	Lugar	Johnston		Byrd	Mikulski		
Coverdell	Mack	Reid		Daschle	Moseley-Braun		
Craig	McCain			Dodd	Moynihan		
D'Amato	McConnell			Feingold	Murray		
DeWine	Murkowski			Feinstein	Nunn		
Dole	Nickles			Glenn	Pell		
Domenici	Pressler			Graham	Pryor		
Faircloth	Roth			Harkin	Robb		
Frist	Santorum			Hollings	Rockefeller		
Gorton	Shelby			Inouye	Sarbanes		
Gramm	Simpson			Kennedy	Simon		
Grams	Smith				Wellstone		
Grassley	Thomas						
Gregg	Thompson						
Hatch	Thurmond						
Hatfield	Warner						

EXPLANATION OF ABSENCE:

- 1—Official Business
- 2—Necessarily Absent
- 3—Illness
- 4—Other

SYMBOLS:

- AY—Announced Yea
- AN—Announced Nay
- PY—Paired Yea
- PN—Paired Nay

Those opposing the motion to waive contended:

Section 7191(a) would codify the Hyde amendment language. That language is a discriminatory assault on the right of poor women to choose. This ban is shortsighted, careless, and insulting to women. If this amendment passes, poor women will seek unsanitary and dangerous back-alley abortions. They should not have to seek cheap abortions--the Federal Government should have to pay. We therefore oppose the motion to waive.